

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

BERNARD EUGENE COLEMAN,

Plaintiff,

v.

MORTGAGE ELECTRONIC
REGISTRATION SYSTEM, INC.; LIME
FINANCIAL SERVICES, LTD; ASSURED
ESCROW AND TITLE; SAXON
MORTGAGE; OCWEN LOAN
SERVICING, LLC; and DEUTSCH BANK
NATIONAL TRUST,

Defendants.

No. 2:14-cv-02141-SHL-cgc

**ORDER ADOPTING THE REPORT AND RECOMMENDATION AND GRANTING
DEFENDANTS' MOTIONS TO DISMISS**

Before the Court is the Magistrate Judge's Report and Recommendation (ECF No. 21) on Defendants' Motions to Dismiss (ECF Nos. 14, 16). The Magistrate Judge filed her Report and Recommendations on October 16, 2014, and Plaintiff filed a timely objection to the Report and Recommendation on October 29, 2014. (See ECF No. 22.)

District courts must conduct a *de novo* review of the parts of a magistrate judge's report and recommendation to which a party objects. See 28 U.S.C. § 636(b)(1). However, after conducting a *de novo review*, a district court is not required to articulate all of the reasons for which it rejects a party's objections. Tuggle v. Seabold, 806 F.2d 87, 92 (6th Cir. 1986). This Court has conducted a *de novo* review by reviewing the record before the Magistrate Judge in light of Plaintiff's objections and hereby ADOPTS the Report and Recommendation in its entirety. Defendants' Motions to Dismiss are GRANTED on *res judicata* grounds because Plaintiff has already litigated nearly identical claims against these identical parties. See Bernard

Coleman v. Lime Financial Services, LTD, et al., Case No. 2:11-cv-2282-JTF-tmp (W.D. Tenn.).

As the Magistrate Judge correctly noted, it is not completely clear from Coleman's complaint if the exact issues presented in this complaint were litigated in the earlier case, however, the issues are so similar that if they were not litigated, they should have been, and therefore they are barred by *res judicata*. See Bragg v. Flint Bd. of Educ., 570 F.3d 775, 777 (6th Cir. 2009).

IT IS SO ORDERED, this 22nd day of January, 2015.

/s/ Sheryl H. Lipman

SHERYL H. LIPMAN

U.S. DISTRICT COURT JUDGE